



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/817,597
Applicant : Euan Skinner Macleod et al.
Filed : April 2, 2004
Examiner : Frank M. Lawrence Jr.
Art Unit : 1724
Title : VACUUM CLEANER
Docket No. : 0978-0023
Confirmation No.: 3138

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Name: Francisca M. A. Hubbard

Signature Francisca M. A. Hubbard

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the examination of the above-identified application, the following references are called to the attention of the Patent and Trademark Office.

U.S. Patent Documents

2002/194695	Stephens et al.	12/26/2002
2002/108208	Hamada et al.	08/15/2002
2003/221277	Oh et al.	12/04/2003
2003/182757	Sepke	10/02/2003

Foreign Patents/Publications

JP 2003061878	Hideo	03/04/2003
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Other

European Search Report – Application Number EP 04 25 1834 in The Hague on February 3, 2005

Applicant encloses PTO/SB/08A and PTO/SB/08B forms identifying each of the above-listed references, and a copy of each foreign reference is also enclosed.

Applicant notes, the September 15, 2005 Office Action in parent application 10/817,597 objected to claim 9 as being dependent upon a rejected base claim but indicated claim 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. To expedite the prosecution, applicant amended independent claim 1 to incorporate the features of claim 9 and of claims 3 and 4 upon which claim 4 also depended. Thereafter, a Notice of Allowance issued. Upon review of the file, it was noted the search report for applicant's counterpart European application had not been made of record in the U.S. application. In that regard, applicant notes U.S. Patent No. 6,829,804 is of record in the U.S. application and it appears to be a counterpart to US 2003/182757 (Sepke) identified in the European Search Report. Additionally, for example, JP 2003061878 (Hideo) identified in the European Search Report does not appear to be 35 U.S.C. § 102(b) prior art against the present application since it was not published more than one year prior to applicant's foreign priority date. Nonetheless, in an abundance of caution, applicant has filed this RCE to permit the Office to consider the European Search Report and the references cited therein.

This statement is provided in order to comply with 37 C.F.R. §1.56 and §1.97 et. seq. and this statement is not to be construed as a representation that these references are prior art or are material to the subject application or that no information exists which is more material than these references.

Respectfully submitted,

By: 
David Lesht, Reg. No. 30,472

Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams Street
Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Dated: July 12, 2006



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STATEMENT BY APPLICANT**

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Application Number	10/817,597
Filing Date	April 2, 2004
First Named Inventor	Euan Skinner Macleod
Art Unit	1725
Examiner Name	Frank M. Lawrence Jr.
Attorney Docket Number	0978-0023

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		us- 2002/194695	12/26/2002	Stephens et al.	
		us- 2002/108208	08/15/2002	Hamada et al.	
		us- 2003/221277	12/04/2003	Oh et al.	
		us- 2003/182757	10/02/2003	Sepke	
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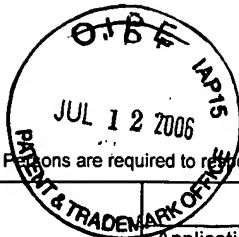
FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† ⁵
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		JP 2003061878	03/04/2003	Hideo		
		WO 02078506	10/10/2002	Conrad		

Examiner
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Attorney Docket Number	0978-0023

Sheet

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		European Search Report - Application Number EP 04 25 1834 in The Hague on February 3, 2005	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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